

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

| | | |
|----------------------------------|---|---------------------|
| UNITED STATES OF AMERICA, | : | |
| | : | |
| Plaintiff, | : | 2:22-cr-143 |
| | : | JUDGE GRAHAM |
| v. | : | |
| | : | |
| CHARLES ASUMADU, | : | |
| | : | |
| Defendant. | : | |

PRELIMINARY ORDER OF FORFEITURE

On August 8, 2022, a one-count Information (Doc. 20) was filed in this case charging Defendant Charles Asumadu with Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. § 1956(h).

In accordance with Rule 32.2 of the Federal Rules of Criminal Procedure, the Indictment also contained a forfeiture allegation, Forfeiture Allegation A, notifying Defendant Asumadu that upon conviction of any the offense alleged in Count 1 of the Information, he shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offense, or any property traceable to such property.

On August 8, 2022, a Plea Agreement (Doc. 21) was also filed in this case in which Defendant Asumadu agreed to plead guilty to Count 1 of the Information. Defendant Asumadu also agreed to voluntarily surrender for forfeiture to the United States all of his right, title, and interest in any and all property, real or personal, involved in the offense alleged in Count 1 of the Information to which he has agreed to plead guilty, or any property traceable to such property, including, but not limited to, the entry of a forfeiture money judgment in the amount of \$744,815.30 in United States currency in favor of the United States against him (“the subject

property”). Defendant Asumadu further agreed that the United States is entitled to forfeit any of his property up to the value of the subject property as substitute assets and consented to the entry of an Order of Forfeiture in this case forfeiting the subject property to the United States.

On November 2, 2022, Defendant Asumadu, having consented to enter a guilty plea before a magistrate judge, waived Indictment and entered a Plea of Guilty to Count 1 of the Information before Magistrate Judge Norah McCann King. (*See* Courtroom Minutes, Doc 31.) On the same date, a Report and Recommendation (Doc. 33) was filed in this case in which Magistrate Judge King found that Defendant Asumadu knowingly and voluntarily entered his plea of guilty to Count 1 of the Information because he is in fact guilty of the offense alleged therein.

On December 15, 2022, this Court entered an Order (Doc. 36) accepting Defendant Asumadu’s plea of guilty to Count 1 of the Information and adopting the Report and Recommendation of Magistrate Judge King.

Therefore, based upon the record of this case and the agreement of the parties, the Court finds that the requisite nexus exists between the subject property described herein and Count 1 of the Information, that the subject property is forfeitable under 18 U.S.C. § 982(a)(1), and that the United States is now entitled to possession of the subject property.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED:**

1. That Defendant Charles Asumadu shall forfeit to the United States the subject property, that is:

A sum of \$744,815.30 in United States currency in the form of a forfeiture money judgment.

2. That in accordance with the agreement of the parties, the United States may seek forfeiture of any property of Defendant Charles Asumadu up to the value of the forfeitable property as substitute assets, in accordance with 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b).

3. That as property is identified for forfeiture in this case, the designated agent with the Internal Revenue Service shall immediately seize such property and hold same in its secure custody and control.

4. That the United States is authorized to conduct any discovery proper in identifying, locating or disposing of the subject property in accordance with Fed. R. Crim. P. 32.2(b)(3).

5. That in accordance with 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 982(b), and Fed. R. Crim. P. 32.2(b)(6), as property of Defendant Charles Asumadu is identified, the United States shall publish notice of this Order, or any subsequent orders, and of its intent to dispose of the subject property in such manner as the Attorney General may direct. The United States shall also provide written notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

6. That pursuant to Fed. R. Crim. P. 32.2(b)(4), this Preliminary Order of Forfeiture, and any subsequent amended order(s), shall become final as to Defendant Charles Asumadu at the time of sentencing and shall be made part of the sentence and included in the judgment. If no third party files a timely claim, the United States may, as provided by Fed. R. Crim. P. 32.2(c)(2), notify the Court that this Order shall become the Final Order of Forfeiture.

7. That the Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

ORDERED this 22 day of February, 2023.

s/James L. Graham
HONORABLE JAMES L. GRAHAM
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

KENNETH L. PARKER
United States Attorney

s/Peter K. Glenn-Applegate
PETER K. GLENN-APPLEGATE (0088708)
Assistant United States Attorney